

INSTRUCTIONS FOR SEALING RECORDS OF CRIMINAL CASES OCCURRING IN RENO MUNICIPAL COURT

When you can apply

Nevada law (NRS 179.245 et. seq.) allows you to petition the Reno Municipal Court to seal your criminal records for misdemeanor cases handled in the Reno Municipal Court as follows:

1. At any time after there has been a Dismissal or an Acquittal (“Not Guilty” at trial);
2. For DUI or domestic battery convictions:
 - (a) If you received a jail sentence, 7 years after your release from custody; or
 - (b) If you received a fine, community service or a suspended sentence with conditions to fulfill, 7 years after the fine, community service or suspended sentence is fully completed;
3. For all other misdemeanor convictions:
 - (a) If you received a jail sentence, 2 years after the date of your release from custody; or
 - (b) If you received a fine, community service or suspended sentence with conditions to fulfill, 2 years after the fine, community service or suspended sentence is fully completed.

NOTE: Records of sex crimes or crimes against children can never be sealed.

How you apply to seal your records

1. Fill out the Petition to Seal Criminal Records. **[Form is included with Petition]**
2. Be sure that Petition names any public or private agency, company, official or other Custodian of Records that is reasonably known to you to have possession of records of your criminal case, and, if known, the person to whom the Order to Seal Records should be directed if it is granted.
3. The Petition must be signed by you before a Notary Public. You must attach the Exhibits listed below.

Obtain copies of your CURRENT, VERIFIED Criminal History to attach as Exhibits

1. You must obtain, at your own expense, a copy of your own current, verified Criminal History from the law enforcement agency that arrested you. You will attach it as an Exhibit to your Petition.

NOTE: If you were convicted and are petitioning after you have completed your sentence and the required number of years has passed, you must have **TWO** Criminal History Exhibits attached to your Petition. You must also obtain a Criminal History of yourself from the Nevada Criminal History Repository (Department of Public Safety, Division of Records & Technology, 333 West Nye Lane, Suite 100, Carson City, NV 89706, and Telephone: (775) 684-6262).
[Form is included with Petition]

2. In order to obtain your Criminal History, you must first be fingerprinted at your own expense. You can do this at your local police department, sheriff's office or at a private fingerprint service. If you need two Criminal Histories as Exhibits, get two sets of fingerprints taken (one for each agency).
3. Send or take the original Fingerprint Card to the appropriate law enforcement agency, and, if necessary, to the Criminal History Repository, along with their request form, and payment (Money Order or Cashier's Check). Allow 2-4 weeks to get your copies back.

The Court proceedings

1. Once you receive your Criminal History, attach it/them as Exhibit(s) to your Petition. Make a full copy of all the documents for yourself and one copy for the Reno City Attorney's Office. File the Petition package (including the copies) with the Reno Municipal Court Clerk in person at One South Sierra Street, 1st Floor, Reno, Nevada or mail to Reno Municipal Court Clerk at P.O. Box 1900, Reno, Nevada 89505 (include a self-addressed envelope for the Clerk to return the file-stamped copies to you). **There is a \$100 filing fee that must be paid in order to file the Petition to Seal Records.** The Clerk will keep the original Petition and will send you the other two file-stamped copies. You must mail or deliver a copy to the Reno City Attorney's Office and keep one for your records.
2. The Court will notify law enforcement and the prosecutor of your Petition and will set a date for a hearing and send you a Notice of Hearing. You should contact the Reno City Attorney to see if they oppose your request or if they will sign a Stipulation (agreement) with you, agreeing to the records sealing and to waiving (not holding) the hearing. If there is a signed Stipulation, you will not have to attend the hearing. If there is no agreement, you must attend the hearing and prove to the Court that you qualify for records sealing and give the Court the reasons that favor the sealing of your records.
3. If the sealing request is granted, you must get a sufficient number of certified copies of the Order to Seal Records to deliver to each of the persons or law enforcement agencies listed in your Petition. You must also give them a "Return" form to sign [**Form is included with Petition**] notifying the Court when it has sealed your records (you fill in the case name and number). Once your records are sealed, all proceedings regarding your case are legally deemed to have "never occurred" and you may then legally answer accordingly, if anyone asks if you have an arrest, conviction, sentence, dismissal or acquittal.

NOTE: Even though the Court may order it, criminal justice agencies outside the State of Nevada are not required to follow the Sealing Order; often they do, but some do not, because they are governed by their own state or federal law and not our local law.

4. If the Petition to Seal is denied, you may apply to the Court for a re-hearing two years after the date of denial. No person can petition for more than two re-hearings of the same case.